

# **GUARDIANSHIP OF A MINOR**

# **1**

## **To Get a Permanent Appointment for a Minor**

Part 1: Preparing the Court Papers  
(Forms and Instructions)

## SELF SERVICE CENTER

# APPOINTMENT OF “PERMANENT” GUARDIAN FOR A MINOR CHECKLIST

### YOU MAY USE THESE FORMS IF:

- ✓ You want to have the court appoint a guardian for a minor, and you know that you do not need the court to appoint a *conservator* for the minor, AND
- ✓ The Minor lives in Maricopa County, AND
- ✓ After giving notice of the petition for guardianship to **BOTH PARENTS** (if living), one or both parents will give permission by signing a voluntary consent, **and/or neither parent will file papers to oppose the guardianship\***, AND
- ✓ If you are NOT related by blood to the Minor, you already have or you will get your fingerprints taken for submission to DPS (Arizona Department of Public Safety) and the FBI for a criminal background check.

### A minor generally needs a **GUARDIAN**:

1. If the Minor needs the care and supervision of an adult, which is not presently available.

### A minor generally needs a **CONSERVATOR**:

1. If the Minor owns money or property or receives annual income in excess of \$5,000 that requires management or protection, which cannot be otherwise provided;
2. If the Minor has business affairs/assets which may be jeopardized or prevented by his or her being a minor; and/or
3. If the Minor needs funds for his or her support and education and protection is necessary or desirable to obtain or provide the funds.

**\*NOTE:** If *either* parent files papers *opposing* a guardianship, it will **NOT** be granted. An attorney may be able to advise whether another action such as for “Juvenile Dependency” or non-parent custody may be appropriate.

**READ ME:** Consulting a lawyer before filing documents with the court may help prevent unexpected results. A list of lawyers you may hire to advise you on handling your own case or to perform specific tasks, as well as a list of court-approved mediators can be found on the Self-Service Center website.

**SELF-SERVICE CENTER**

**FOR APPOINTMENT OF A GUARDIAN  
FOR A MINOR**

**PART 1: Preparing the Court Papers**

**(Forms and Instructions)**

This packet contains court forms and instructions to file for an appointment of a guardian for a minor. Items in **BOLD** are forms that you will need to file with the Court. Non-bold items are instructions or procedures. Do not copy or file those pages!

Order	File Number	Title	# pages
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5	JG10f	<b>“Juvenile Guardianship Information” Sheet</b>	1
6	JG12f	<b>“Petition for Appointment of Guardian of a Minor”</b>	7
7	JG11f	<b>“Affidavit of Person to be Appointed Guardian” *</b> *Required from <u>each</u> guardian if more than one.	3
8	JG13f	<b>“Consent of Parent to Guardianship of a Minor (and Waiver of Notice)”</b>	1
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10	JG15F	<b>“Certificate of Readiness (Request to Set Hearing)”</b>	1

The documents you have received are copyrighted by the Superior Court of Arizona in Maricopa County. You have permission to use them for any lawful purpose. These forms shall not be used to engage in the unauthorized practice of law. The Court assumes no responsibility and accepts no liability for actions taken by users of these documents, including reliance on their contents. The documents are under continual revision and are current only for the day they were received. It is strongly recommended that you verify on a regular basis that you have the most current documents.

## SELF- SERVICE CENTER

# HOW TO ASK THE COURT TO APPOINT A PERMANENT GUARDIAN OF A MINOR

**USE THIS PACKET** if you want to be appointed a guardian for a person under the age of 18.

This packet does **NOT** help you with the following processes:

- Guardianship or conservatorship for persons 18 years or older;
- Temporary or emergency appointments of guardians or conservators;
- Conservators for minors
- Guardians for severely disabled adults;
- Testamentary (by will) appointment of a guardian of a minor

Follow each step carefully. Each step contains certain forms, and some of these forms have extra instruction sheets to help you. The whole process will take at least a couple of months.

### FIRST STEPS:

**1 MAKE SURE YOU NEED TO BE APPOINTED AS GUARDIAN ONLY, AND NOT CONSERVATOR, TOO.** If you are not sure, see the Checklist at the beginning of the forms packet, the Self-Service Center information describing the different requirements for guardianships and conservatorships, or consult an attorney. The Self-Service Center has separate packets for adults and for minors for guardians or conservators, as well as for guardians and conservators combined.

**2 FINGERPRINTS.** Arizona law (A.R.S. Section § 14-5206) requires that any person asking to be appointed guardian or co-guardian of a minor to whom he/she is **not related by blood** must be fingerprinted and have a background investigation through the Arizona Department of Public Safety and the FBI in Washington, D.C., to help the Court determine that person's suitability to act as a guardian of a minor. See **Step 8** below describing how and where to get your fingerprints taken.

**Note:** In Maricopa County, completed Fingerprint cards must be submitted to the Clerk of the Court, Juvenile Division, within **5 days** of filing the Petition for Permanent Appointment of Guardianship of a Minor.

**3 COMPLETE THE COURT FORMS IN THIS PACKET:** Fill out all the forms completely and in **black ink**.

- **JUVENILE GUARDIANSHIP INFORMATION SHEET.** Complete everything but the "Case Number". The Clerk of the Court will stamp a Juvenile Court Case Number, starting with the letters "**JG**" when you file the papers. You will use this case number on all court papers you file with the Clerk in this case.
- **PETITION FOR APPOINTMENT OF PERMANENT GUARDIAN of a Minor.** Fill out all the information carefully and notify the people entitled to receive notice about this matter. If you have questions about who is entitled to notice see the Self-Service Center Packet on **Service and Notice of Hearing**, then read the document called INFORMATION ON LEGAL NOTICE FOR GUARDIANSHIP of a Minor.

- **AFFIDAVIT OF PERSON TO BE APPOINTED GUARDIAN (ARS § 14-5106).** This document must be completed by the person who wants to be appointed as guardian of the minor (usually the Petitioner). You must file this Affidavit with your ***"Petition for Permanent Appointment as Guardian of a Minor"***.
- **CONSENT OF PARENT TO GUARDIANSHIP (and Waiver of Notice).** This document must be completed and signed by BOTH parents of the minor, if they are living, and have not had their parental rights terminated by a Court Order, or have not been declared incompetent by a Court. If you only can find one parent, have that parent sign the Consent. However, be prepared to explain to the Court at the hearing why only one parent or no parents signed the consent ***and to prove to the Court you did everything you could to try to find the parent by publishing notice.*** See the Self Service Center packet ***"Service When You Can't Find the Other Party"*** for more information on service of notice by publication.

- 4 COPIES:** Make **3 copies** of all the completed forms listed above. Assemble the copies so that you have **4 complete packets** – one set of originals and two sets of copies. The Clerk of the Court will keep the original documents; one set of copies will be for the Petitioner's records, and one set of copies is for serving legal notice on the Mother and Father.

## TO FILE THE PAPERS AT THE COURT:

### 5 DETERMINE WHERE TO FILE THE COURT FORMS:

There are two facilities for the Maricopa County Juvenile Court:

**Durango Facility**  
**3131 W. Durango Street**  
**Phoenix, AZ 85009**

**Southeast Facility**  
**1810 S. Lewis Street**  
**Mesa, AZ 85210**

Cases are assigned to a facility based upon the zip code of the residence of the petitioner. If the zip code is 85200 through and including 85299, or any zip code area that is east of Central Avenue in Phoenix, the case will probably be assigned to the Southeast Facility. Any zip code that is west of Central Avenue will probably be assigned to the Durango Facility.

You can present your documents for filing at either location; however, you are encouraged to take them to the correct facility for faster processing.

### 6 TAKE THE ORIGINALS AND COPIES TO THE CLERK TO BE FILED: Take the **originals** and **3 sets of copies** of the following documents to the Clerk of the Court, Juvenile Division, on the first floor of the court, for processing:

- JUVENILE GUARDIANSHIP INFORMATION SHEET
- PETITION FOR PERMANENT APPOINTMENT OF GUARDIAN OF A MINOR
- AFFIDAVIT OF PERSON TO BE APPOINTED GUARDIAN (ARS § 14-5106)
- CONSENT OF PARENT (MOTHER) (if applicable)
- CONSENT OF PARENT (FATHER) (if applicable)

**NOTE:** The Clerk will keep the originals and return your 3 copies of the documents. Once you have completed and filed a *Certification of Compliance (Request to Set Hearing)* the Court will prepare the *Notice of Hearing*. You will be called when the *Notice of Hearing* is ready to be picked up OR you may pay additional postage and handling fee and the documents will be mailed to you.

- 7 FEES:** A list of current fees is available from the Self Service Center and from the Clerk of Court's website.

If you cannot afford the filing fee and/or the fee for having the papers served by the Sheriff or by publication, you may request a deferral (payment plan) when you file your papers with the Clerk of the Court. Deferral Applications are available at no charge from the Self-Service Center.

## TO COMPLETE THE FINGERPRINT PROCESS:

- 8 TO GET YOUR FINGERPRINTS TAKEN:** If the proposed guardian is NOT related by blood to the minor child or children, ARS § 14-5206 requires that the proposed guardian or co-guardian furnish a complete set of fingerprints.

The Court will provide the correct fingerprint card to you when you file your petition. To be fingerprinted, take the card to the Maricopa County Sheriff's Office, a police department or a private company that performs this service. It is suggested that you call ahead to determine hours of operation and costs. NOTE: Be sure to bring valid picture identification with you or your fingerprints will not be taken.

- The Maricopa County Sheriff's Department at 201 West Jefferson Street in Phoenix, (West Court Building, 4<sup>th</sup> floor) does fingerprinting Monday-Friday, from 7:30 a.m. until 4:30 p.m. for a fee of \$8 per card. **Cash only.**
- The Phoenix Police Department offers this service at its headquarters at 620 West Washington, in Phoenix, Monday through Friday from 7:30 a.m. to 4:30 p.m.
- Other police agencies may offer the service during limited days and hours for locally employed workers and residents only.
- You may also consult the yellow pages under "fingerprints" to find a private agency to fingerprint you.

You **MUST** return the completed fingerprint card and a \$31 fee for each card **WITHIN 5 DAYS** of filing the Petition to the Clerk of the Court, Juvenile Division.

Your hearing date will be set at about 12 weeks from the day you submit the fingerprint card to allow enough time for the criminal record check to be completed and sent to the Court.

- 9 OTHER HELP:** Court personnel can answer certain limited questions about the procedures involved, but only an attorney can give you legal advice. You can call the Maricopa County Bar Association's Lawyer Referral Service at 602-257-4434 to schedule a half-hour consultation for a fee, or find a lawyer in the yellow pages of your telephone book or online.

Also, the Self-Service Center has a list of lawyers who will, for a fee, assist you on a task-by-task basis or advise you on how to conduct your own case. The list shows where the lawyers are located, how much they charge to look over the court papers or answer your questions, and what their experience is. You may view the list on the Court's web site.

## TO REQUEST A HEARING:

- 10 TO GET A HEARING SET:** After filing your Petition for Guardianship, you must complete, sign and file a "Certificate of Readiness (Request to Set Hearing)" form notifying the Court that you have all the documents available and ready. If you do not bring the documents as stated in your "Certificate of Readiness (Request to Set Hearing)" to the hearing, your hearing may be vacated and reset to another date.

You must bring the original and one copy (for the Court) of the following:

- Petitioner's United States or State issued identification (this is required for all Petitioners)
- Certified copy of Birth Certificate for each Child (this is required for all Children listed on the Petition)

If a child is over age 14, you must have the child's consent in writing. You must file the original, notarized consent of each child over age 14. You must bring a copy of the consent to your hearing. You can also bring the child to the hearing to provide their consent in Court.

If you have written consents from either or both parents, you must file the original, notarized consent with the Court. You must bring a copy of each consent to your hearing. A parent may also provide their consent in Court.

If either parent is deceased, you must bring the original or a "certified copy" of the Death Certificate and one copy (for the court).

Once the "Certificate of Readiness (Request to Set Hearing)" is filed, the Court will review the request. If approved to proceed the Court will complete a Notice of Hearing. If not approved, the Court will return an Order denying setting of a hearing and identify the reasons why.

If the "Certificate of Readiness (Request to Set Hearing)" is not filed within 60 days, the petition will be dismissed.

## SELF-SERVICE CENTER

# APPOINTMENT OF GUARDIAN FOR A MINOR

## PROCEDURES: What to do Before and After the Court Hearing

### I. BEFORE THE COURT HEARING:

Please review the following information, and take appropriate action.

**1. LANGUAGE: Do you need a court interpreter?** At least **10 days before the hearing**; if you need the services of a court interpreter, please **call** the court interpreters' office at **602-506-0490**.

**2. HEARING RECORD: Digital Recording or Court Reporter?** The Juvenile Court uses a digital audio recording system to preserve the official record of the proceedings. If you or another party wants a court reporter to transcribe the Court hearing, you or the party requesting the court reporter must:

- At least **72 hours before the start** of the hearing;
- **Write** a request to the Clerk of Court asking that a court reporter transcribe the hearing,
- **Photocopy** your written request, and
- **Take** the copies to the Clerk of Court for **filing**; place the **copy in the Judge's basket**.

**3. PREPARE TESTIMONY:** Think about what you want to say to the Judge such as:

- Why is the Guardianship needed? Why should the proposed Guardian be appointed?
- Do I need **witnesses**? How would a witness clarify the Judge's understanding of the need for the guardianship?
  - NOTE: Ask the witness to come to the hearing if you think the witness' testimony will help your case.

**4. DOCUMENTS: Bring the following documents to the Court Hearing:**

- **Part 1 Documents**, consisting of:
  - **Petition** for Appointment of Guardian of a Minor
  - **Affidavit** of Person to be Appointed Guardian (A.R.S. § 14-5106)
  - **Notarized, Consent of Mother** (if applicable) and extra copy for Court
  - **Notarized, Consent of Father** (if applicable) and extra copy for Court
  - **Notarized, Consent of child**, for all children over age 14 and extra copy for Court
  - Petitioner's **United States or State issued identification** (this is required for all Petitioners)
  - **Birth Certification** for each Child (this is required for all Children listed on the Petition)
  - If either parent has died, you must bring the original "certified copy" of the **Death Certificate** and extra copy for the court.
  - If a child was born outside the United States, you must bring the original United States issued, **temporary visa or permanent legal resident card** and extra copy for the court.

- **Part 2 Service of Notice Documents**, consisting of:
  - Notice of Hearing
  - Proof of Notice of Hearing
  - Waiver of Notice (if applicable) – signed by interested person
  - Acceptance of Service (if applicable) – signed by interested person
  - Affidavit Supporting Publication (if applicable)
  - Affidavit of Publication (if applicable)

**NOTE: If you do not bring the required documents to the hearing, your hearing may be vacated and reset to another date.**

5. **PHOTO IDENTIFICATION:** Take this to the Court Hearing. If the Judge grants the Petition for Appointment, you may be asked to sign an Acceptance of Appointment, which requires you to show your Photo ID.

## II. AFTER THE COURT HEARING

Please review the following information, and take appropriate action.

1. **GO TO the CLERK of COURT**, Juvenile Division. If the Judge grants the Petition for Permanent Appointment of Guardian of a Minor, the Clerk will:
  - Review the Order of Appointment
  - Ask you to sign an Acceptance of Appointment (this is when you must show a photo ID)
  - Issue conformed or certified copies of the Court Order.
  - **NOTE:** In order to prove that the Court granted you the authority to be appointed as the legal Guardian of the minor, it is beneficial for you to obtain a **certified copy** of the Court order and Letters of Appointment. You can find out the exact fees and costs that are charged for any particular matter by calling the Clerk of the Court at 602-506-6185 or on their website.
2. **BOND:** If the Judge did not waive the bond and ordered that you post a bond for a certain amount, call a bonding company, purchase a bond, and file the original bond with the Court. You should do this immediately after the Court order is signed. If you do not have a bond, the Court will not issue your letters of appointment.
3. **CHANGE of ADDRESS: ALWAYS** tell the Court in writing if you **or the Minor** have a change of address.
  - **For Guardian's Change of Address:** If you have been appointed as a Guardian, you must immediately tell the Juvenile Court in writing if your mailing address changes anytime during the term of your appointment. Your change of address notice must include the case number of the case in which you have been appointed Guardian.
  - **For Minor's Change of Address:** If you have been appointed as a Guardian, you must tell the Juvenile Court in writing **within 72 hours** of the change of address of the Minor. The change of address notice must include the case number of the case in which you have been appointed Guardian, and the Minor's new address.

- **NOTE:** Your written Change of Address notice may be personally delivered to the Court or mailed to the Juvenile Court that handled your case at either:

**Durango Facility**  
**3131 W. Durango Street**  
**Phoenix, AZ 85009**

**Southeast Facility**  
**1810 S. Lewis Street**  
**Mesa, AZ 85210**

- **NOTE: A Guardian who fails to notify the Court** of a change of address may be **required to pay all costs** resulting from any failure to notify the Court of that change.

**4. ANNUAL REPORT:** You must file the Annual Report of the Guardian (Form **Packet #JG9**) within one year of your Appointment as Guardian of a minor.

- **EVERY YEAR on or before your anniversary date of your Appointment** as Guardian, you must file an Annual Report (Form **Packet #JG9**).

**5. TERMINATION:** If, at some point in time you want to terminate your Guardianship and be legally discharged as the Guardian of the Minor, you must file a Petition with the Court and give notice to the parties. Please visit the Self-Service Center.

Person Filing: \_\_\_\_\_  
Address (if not protected): \_\_\_\_\_  
City, State, Zip Code: \_\_\_\_\_  
Telephone: \_\_\_\_\_  
Email Address: \_\_\_\_\_  
Lawyer's Bar Number: \_\_\_\_\_

For Clerk's Use Only

Representing ☐ Self, without a Lawyer or ☐ Attorney for ☐ Petitioner OR ☐ Respondent

## SUPERIOR COURT OF ARIZONA IN MARICOPA COUNTY JUVENILE COURT

In the matter of Guardianship of:

Case Number JG \_\_\_\_\_

### JUVENILE GUARDIANSHIP INFORMATION SHEET

A Minor ☐ Female ☐ Male

**THIS FORM IS TO BE COMPLETED BY THE PETITIONER(S) AND RETURNED  
TO THE CLERK AT THE TIME OF FILING THE PETITION.**

This information is confidential and for Court use only, and is not part of the public record.

DESCRIPTION OF	PETITIONER	CO-PETITIONER
Name		
Address		
City, State, Zip		
Telephone Number	( )	( )
Date of Birth		
Social Security Number		
Passport Number		
Ethnicity		
Height		
Weight		
Color of Hair		
Color of Eyes		
Relationship to person(s) to be protected		

Private Fiduciary Certification or Licensing Number: \_\_\_\_\_

Date of birth of Minor(s): (Month/Day/Year) \_\_\_\_\_

Is the person you are seeking to assist a foreign national? ☐ Yes ☐ No

If yes, please specify country: \_\_\_\_\_

Is the Minor(s) or a sibling of the Minor(s) involved in a Juvenile Dependency action? ☐ YES ☐ NO

Will you or any person required to receive notice need a court interpreter? ☐ YES ☐ NO

If "Yes", what language(s) ? \_\_\_\_\_

Person Filing: \_\_\_\_\_  
Address (if not protected): \_\_\_\_\_  
City, State, Zip Code: \_\_\_\_\_  
Telephone: \_\_\_\_\_  
Email Address: \_\_\_\_\_  
Lawyer's Bar Number: \_\_\_\_\_

For Clerk's Use Only

Representing ☐ Self, without a Lawyer or ☐ Attorney for ☐ Petitioner OR ☐ Respondent

## SUPERIOR COURT OF ARIZONA MARICOPA COUNTY

In the Matter of the Guardianship of:

Case Number JG: \_\_\_\_\_

### PETITION FOR PERMANENT APPOINTMENT OF GUARDIAN OF A MINOR

\_\_\_\_\_  
A Minor

#### INFORMATION ABOUT PETITIONER(S), UNDER OATH OR AFFIRMATION:

##### 1. INFORMATION ABOUT PETITIONER:

Name(s): \_\_\_\_\_

Street Address: \_\_\_\_\_  
\_\_\_\_\_

City, State, Zip Code: \_\_\_\_\_  
\_\_\_\_\_

Telephone: \_\_\_\_\_ Date of Birth: \_\_\_\_\_  
\_\_\_\_\_

☐ I am related by blood to the children. Explain how you are related.  
(Examples: Grandmother, Uncle, Sister, etc.) \_\_\_\_\_

Are you related to the children through the Mother's side of the family or the Father's side?

☐ Mother ☐ Father

Paternity has been established through ☐ Birth Certificate ☐ Court Order

☐ I am NOT related by blood to the Children. Explain how you know the Children.  
\_\_\_\_\_

**Note: If the person to be appointed Guardian is not related to the child, the person will need to submit a full set of fingerprints to obtain a criminal background investigation.**

**2. INFORMATION ABOUT THE CHILDREN WHO NEEDS A PERMANENT GUARDIAN: (Make copies of this page if needed for additional children)**

a. Child's name: \_\_\_\_\_ ☐ male ☐ female  
Child's birth date: \_\_\_\_\_  
Child's birth place: \_\_\_\_\_  
Child's address: \_\_\_\_\_

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b. Child's name: \_\_\_\_\_ ☐ male ☐ female  
Child's birth date: \_\_\_\_\_  
Child's birth place: \_\_\_\_\_  
Child's address: \_\_\_\_\_

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c. Child's name: \_\_\_\_\_ ☐ male ☐ female  
Child's birth date: \_\_\_\_\_  
Child's birth place: \_\_\_\_\_  
Child's address: \_\_\_\_\_

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d. Child's name: \_\_\_\_\_ ☐ male ☐ female  
Child's birth date: \_\_\_\_\_  
Child's birth place: \_\_\_\_\_  
Child's address: \_\_\_\_\_

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(If more than four children, please attach information for all children)

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**3. REASONS I AM ASKING FOR A GUARDIANSHIP ORDER.**

Explain why the appointment of a permanent guardian is necessary at this time to provide continuing care and supervision of the Children and would be in the best interests of the Children. Explain:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

**4. Disability or Incapacitation. Is the Child disabled or incapacitated to the extent that he or she will need a guardian AFTER reaching the age of 18?**

- ☐ **YES.** The Child WILL need a guardian after reaching the age of 18.
- ☐ **NO.** The Child WILL NOT need a guardian after reaching the age of 18.

**5. Information about person(s) to be appointed guardian or any person who will serve as a co-guardian (ONLY if different than Petitioner)**

Name(s): \_\_\_\_\_ / \_\_\_\_\_

Street Address: \_\_\_\_\_

City, State, Zip Code: \_\_\_\_\_

Telephone: \_\_\_\_\_

Date(s) of Birth: \_\_\_\_\_ / \_\_\_\_\_

- ☐ Is the first person to be appointed guardian **related by blood** to the Children ☐ **YES** ☐ **NO**  
(Examples: Grandmother, Uncle, Sister)
- ☐ Is the second person to be appointed guardian **related by blood** to the Children ☐ **YES** ☐ **NO**  
(Examples: Grandmother, Uncle, Sister)

If <b>"YES"</b> , HOW is the person to be appointed guardian related to the Children?	If <b>"NO"</b> above, is the person to be appointed guardian related in any way to the Children? Explain.
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**6. Why should this Court choose the person you request to be the guardian?**  
(Explain in detail.)

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

**7. Will anyone object or disagree with the Permanent Guardianship?**

☐ **Mother of the children will object or disagree with you being permanent guardian because:**

\_\_\_\_\_

\_\_\_\_\_

☐ **Father of the children will object or disagree with you being permanent guardian because:**

\_\_\_\_\_

\_\_\_\_\_

☐ **Children (over age 14) will object or disagree with you being permanent guardian because:**

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**If you feel a parent will not consent and the children are in danger, you can call  
Child Protective Services at 1-888-SOS-CHILD (1-888-767-2445)**

**8. REASONS FOR REQUESTED PERSON TO BE APPOINTED GUARDIAN:**

(Check one or more of the boxes that you think apply to the relationship of the proposed guardian to the children you say require a guardian):

- ☐ Proposed appointee was selected by the children, who are at least 14 years old.
- ☐ Proposed appointee is a relative of the children and has had care and custody of the children for the last 6 months prior to filing this Petition.
- ☐ Proposed appointee was chosen to be the guardian by someone who is caring for the children or is paying benefits for the children.
- ☐ Proposed appointee is a public fiduciary, a professional guardian, conservator, or the Arizona Veterans' Service Commission.
- ☐ Proposed appointee is not related by blood to the children and the person will submit a full set of fingerprints to the court required by A.R.S § 14-5206.
- ☐ Other (Please explain)

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**9. INFORMATION REGARDING GUARDIANSHIP: (Prior Appointment)**

**To the best of my knowledge, (check one box):**

- ☐ **No Guardian or Conservator has been appointed** in any other court, and no court proceedings are pending for such appointment;
- ☐ **Someone has been appointed or court proceedings are pending** (explain who, when, in what court, and if appointee, whether guardian or conservator, or both):

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- ☐ **There is a dependency petition pending in any Court.** (explain when, in what court, and list the case number(s)):

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- ☐ **Child Protective Services has been involved with the family.** (explain when, in what State, and outcome):

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**10. Persons Entitled to Notice under Arizona law**

***Arizona law says that mother, father, children age 14 and over, current guardians, and other persons the children have recently been living with are entitled to Notice of the Petition for Guardianship or must consent or agree to a guardianship. (Refer to Instructions and A.R.S. §§ 14-5207 and 14-5310 regarding who must be given Notice.)***

A. ☐ I will give Notice to the following persons:

	Name	Address (Street Address, City, State, Zip)
Children, if age 14 and over		
Attorney for Children (if already appointed)		
Mother of Children		
Father of Children		
Current Guardian		
Relationship to children, if any		
Person with whom the children recently has been living		
Other:		
Relationship to children, if any		

B. ☐ I have notarized, signed consents for the following persons:

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**11. ASSETS OF THE CHILDREN:** (check one box)

- ☐ The children have no substantial assets or income. No bond by Petitioner is required; OR,  
☐ The children have assets and/or annual income in the approximate amount of \$\_\_\_\_\_

Explain (what are the assets, where are assets located, monthly income from assets, etc):

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**12. PARENTAL RIGHTS.** All parental rights of custody regarding the children (have been suspended or terminated by:

- ☐ Mother's parental rights have been terminated by Court Order (case number: \_\_\_\_\_) and I will provide a copy of the Court Order at the hearing.
- ☐ Mother consents to the guardianship (Notarized copy of Consent must be attached)
- ☐ Mother has abandoned the children (for at least six (6) months prior to the filing of this Petition)
- ☐ Father's parental rights have been terminated by Court Order (case number: \_\_\_\_\_) and I will provide a copy of the Court Order at the hearing
- ☐ Father consents to the guardianship (Notarized copy of Consent must be attached)
- ☐ Father has abandoned the children (for at least six (6) months prior to the filing of this Petition)
- ☐ Prior court order (Certified copy of the order must be attached)
- ☐ Other Circumstances: (Explain in detail)

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**WARNING: A GUARDIANSHIP UNDER TITLE XIV CANNOT BE GRANTED OVER A PARENT'S OBJECTION (DISAGREEMENT).**

**13. REQUIRED STATEMENTS TO THE COURT, UNDER OATH OR AFFIRMATION:**  
(Note: All of these statements must be true and you must check the box for each statement to indicate to the Court that each statement is true, or you cannot file this Petition.)

- A.** ☐ This Court is the proper **venue** for this case because the children who need a guardian lives in or is present in this county.
- B.** ☐ The person who is requested to be the guardian has completed the required documents called **Affidavit of Person to be Appointed as Guardian** and is filing that Affidavit with this Petition as required by Arizona law, A.R.S. §14-5106.
- C.** ☐ I, or the person I request to be appointed guardian in Section 6, is a suitable and proper person to act as guardian and is entitled to consideration for appointment under Arizona Law, A.R.S. §14-5106, and/or 14-5410.
- D.** ☐ I understand that to have a hearing scheduled, I must complete and file the "Certificate of Readiness" (Request to Set Hearing) stating I have all the required documents and I will bring copies to the Hearing. If I do not file the "Certificate of Readiness" within 60 days of filling the petition, my case will be dismissed.

**REQUESTS TO THE COURT:**

1. After I file a "Certificate of Readiness" (Request to Set Hearing), I request the Court schedule a hearing to determine if the Court should order a Guardianship;
2. At the hearing to determine if the Court should order guardianship, the Court may appoint a Permanent Guardian of the children; and
3. Make any other orders the Court decides are in the best interests of the children.

**OATH OR AFFIRMATION AND VERIFICATION OF PETITIONER**

I state to the Court, under penalty of perjury, that I have read this petition and all the statements in the petition are true and correct and complete to the best of my knowledge and belief.

\_\_\_\_\_  
SIGNED

Signed and sworn to or affirmed before me this date: \_\_\_\_\_ by: \_\_\_\_\_

\_\_\_\_\_  
Notary

OR Michael K. Jeanes, Clerk of Superior Court

My commission expires: \_\_\_\_\_ By: \_\_\_\_\_  
(or Seal, below) Deputy Clerk

I state to the Court, under penalty of perjury, that I have read this petition and all the statements in the petition are true and correct and complete to the best of my knowledge and belief.

\_\_\_\_\_  
SIGNED

Signed and sworn to or affirmed before me this date: \_\_\_\_\_ by: \_\_\_\_\_

\_\_\_\_\_  
Notary

OR Michael K. Jeanes, Clerk of Superior Court

My commission expires: \_\_\_\_\_ By: \_\_\_\_\_  
(or Seal, below) Deputy Clerk

Person Filing: \_\_\_\_\_  
Address (if not protected): \_\_\_\_\_  
City, State, Zip Code: \_\_\_\_\_  
Telephone: \_\_\_\_\_  
Email Address: \_\_\_\_\_  
Lawyer's Bar Number: \_\_\_\_\_

For Clerk's Use Only

Representing ☐ Self, without a Lawyer or ☐ Attorney for ☐ Petitioner OR ☐ Respondent

## SUPERIOR COURT OF ARIZONA IN MARICOPA COUNTY

In the Matter of the Guardianship of:

Case Number: JG \_\_\_\_\_

### AFFIDAVIT OF PERSON TO BE APPOINTED GUARDIAN

\_\_\_\_\_  
a Minor

**INSTRUCTIONS:** A signed and completed copy of this form must be submitted by each person who wants to be appointed guardian. If there are to be co-guardians, make a copy before writing on this form. Answer each statement as TRUE or FALSE. Each answer that is false must be explained in writing in an attachment to this affidavit.

**STATEMENTS MADE UNDER OATH OR AFFIRMATION TO THE COURT:** Arizona law A.R.S. §14-5106 requires the person seeking appointment to answer items 1-12. This document must be filed with the ***"Petition for Permanent (or Temporary) Appointment of Guardian for a Minor"***.

The nature of my relationship to the Minor is: (Example: grandparent/sister/uncle)

I met the Minor under the following circumstances:

1. ☐ True or ☐ False. I have not been convicted of a felony in any jurisdiction.
2. ☐ True or ☐ False. I have not acted as a guardian for another person for at least three years before I filed this Petition.
3. ☐ True or ☐ False. I know and understand the powers and duties I would have as a guardian.
4. ☐ True or ☐ False. I have not had a power of attorney for anyone for at least three years before I filed this Petition.
5. ☐ True or ☐ False. Arizona law requires that a guardian file an annual report with the Court. If I have been a guardian before, I either filed the required documents on time, or within 3 months of receiving a notice from the court that the report was due.  
☐ Does Not Apply.
6. ☐ True or ☐ False. I have never been removed as a guardian or conservator by the Court.

7. ☐ True or ☐ False. I have never received anything of value greater than a total of one hundred dollars in any one year by gift, or will, or inheritance from an individual or the estate of an individual to whom I was not related by blood or marriage and for whom I served at any time as guardian, conservator, trustee, or attorney-in-fact.
8. ☐ True or ☐ False. No business in which I have an interest has ever received anything of value greater than a total of one hundred dollars in any one year by gift, or will, or inheritance from an individual or the estate of an individual to whom I am not related by blood or marriage and for whom I served at any time as guardian, conservator, trustee, or attorney-in-fact.
9. ☐ True or ☐ False. To the best of my knowledge, I am not named as a personal representative, trustee, beneficiary, or other type of beneficiary for any individual to whom I am not related by blood or marriage and for whom I have ever served as guardian, conservator, trustee, or attorney-in-fact.
10. ☐ True or ☐ False. To the best of my knowledge, no business in which I have an interest is named as a personal representative, trustee, beneficiary, or other type of beneficiary for any individual to whom I am not related by blood or marriage and for whom I have ever served as guardian, conservator, trustee, or attorney-in-fact.
11. ☐ True or ☐ False. I have no interest in any business that provides housing, health care, nursing care, residential care, assisted living, home health services, or comfort care services to any individual.
12. ☐ True or ☐ False. I have never been charged with or convicted of any kind of abuse, neglect or mistreatment of a child or an elderly person. I am not named on any Registry of this State or any other of Sex Offenders or persons who have committed acts of abuse, violence or neglect against children or elderly persons. (If you checked "False", be prepared to explain the circumstances and why the Court should appoint you as a guardian in this case.)

## OATH OR AFFIRMATION OF THE PERSON SEEKING TO BE APPOINTED GUARDIAN

I have read this document. The information contained in this document is true, correct, and complete to the best of my belief and knowledge.

\_\_\_\_\_  
Signature of Person to be Appointed Guardian

Signed, sworn to or affirmed before me this date: \_\_\_\_\_

Michael K. Jeanes, Clerk of Superior Court

\_\_\_\_\_  
Notary

OR

My commission expires: \_\_\_\_\_

By: \_\_\_\_\_  
Deputy Clerk of Court

**NOTE: IF YOU ANSWERED "FALSE" TO ANY QUESTION ABOVE, YOU MUST ATTACH AN EXPLANATION AS INSTRUCTED ON THE NEXT PAGE.**

The page following is an instruction page only. Do *not* file it with the Court.

**EXPLANATIONS THAT MUST BE ADDED TO THE AFFIDAVIT OF PERSON WHO WANTS TO BE  
APPOINTED (Required by Arizona Law: A.R.S. § 14-5106)**

You must explain the following as an attachment to your Affidavit for any statement which you marked "F" (false). **FILE THE EXPLANATIONS WITH THE AFFIDAVIT, BUT DO NOT FILE THIS INSTRUCTION SHEET.** All the information in the explanations is also under oath to the court.

DO NOT FILE THIS SHEET  
WITH THE CLERK'S OFFICE  
INSTRUCTION SHEET ONLY

1. As to each felony for which you have been convicted, list:
  - a. The nature of the offense.
  - b. The name and address of the sentencing court.
  - c. The case number.
  - d. The date of conviction.
  - e. The terms of the sentence.
  - f. The name and telephone number of any current probation or parole officer.
  - g. The reasons why the conviction should not disqualify you from appointment.
2. If you have acted as guardian or conservator within three years before filing this petition, list:
  - a. The names of individuals for whom you are currently serving, and court case numbers.
  - b. The names of individuals for whom your appointment has been terminated within the three-year period, and the court case number.
3. If you do not have the required information, please explain how you intend to obtain this information.
4. State the total number of persons for whom you have done this. If you have acted under a power of attorney for the Minor/protected person, explain:
  - a. The date the power of attorney was signed.
  - b. The place where it was signed.
  - c. The actions you have taken pursuant to the power of attorney.
  - d. Whether the power of attorney is currently in effect.
5. List the name and location of the court and the name and case number of the files in which you were delinquent in filing the required report.
6. List the name and location of the court, the name and case number of each file, and the circumstances of your removal.
7. State the number of occasions on which you received such gifts, list the gifts, the dates they were received, describe the gifts and list the value of each.
8. State the number of occasions on which the business received such gifts, list the gifts, the dates they were received, describe the gifts and list the value of each.
9. State the number of occasions on which you have been so named.
10. State the number of occasions on which the business was named.
11. List the name and address of each business and the extent and nature of your interest.
12. Explain in detail the circumstances of any charge or conviction for abuse or neglect of children or the elderly (not already covered in (1) above), and /or of your name being listed on any registry of sex offenders or persons who have committed acts of abuse, violence or neglect against children or elderly persons. Include date(s), location(s), name(s) of any investigating agencies and of any courts involved, as well as the title of any registry on which you are named and explain the circumstances that resulted in your being listed there. Explain why this court should appoint you as guardian despite any of these circumstances.

Person Filing: \_\_\_\_\_  
Address (if not protected): \_\_\_\_\_  
City, State, Zip Code: \_\_\_\_\_  
Telephone: \_\_\_\_\_  
Email Address: \_\_\_\_\_  
Lawyer's Bar Number: \_\_\_\_\_

For Clerk's Use Only

Representing ☐ Self, without a Lawyer or ☐ Attorney for ☐ Petitioner OR ☐ Respondent

## SUPERIOR COURT OF ARIZONA IN MARICOPA COUNTY

In the matter of the Guardianship of:

Case Number: JG \_\_\_\_\_

\_\_\_\_\_ A Minor

### CONSENT OF PARENT TO GUARDIANSHIP OF MINOR CHILD (AND WAIVER OF NOTICE)

#### REQUIRED INFORMATION FROM PARENT, UNDER OATH or AFFIRMATION:

##### 1. INFORMATION ABOUT ME:

Name: \_\_\_\_\_

Street Address: \_\_\_\_\_

City, State, Zip Code: \_\_\_\_\_

Telephone: \_\_\_\_\_ Date of Birth: \_\_\_\_\_

I am the ☐ MOTHER or ☐ FATHER of the minor child(ren) named above, who needs a guardian.

2. I have read the Petition for Permanent Appointment of Guardian of a Minor and consent to the appointment of (name) \_\_\_\_\_ to be the guardian of the minor child(ren).
3. I waive notice of all further proceedings in this matter. I understand that I can reverse this waiver by filing a written document with the court under this court case number declaring that I no longer waive notice of hearings and other court proceedings.

#### UNDER OATH OR BY AFFIRMATION

**I swear or affirm under penalty of perjury that the contents of this document are true and correct to the best of my knowledge and belief.**

\_\_\_\_\_  
Date

\_\_\_\_\_  
Petitioner's Signature

Sworn to or Affirmed before me this \_\_\_\_\_ by \_\_\_\_\_  
(Date)

\_\_\_\_\_  
Printed Name

My Commission Expires: (or \_\_\_\_\_  
Seal below)

\_\_\_\_\_  
Deputy Clerk or ☐ Notary Public

Person Filing: \_\_\_\_\_  
Address (if not protected): \_\_\_\_\_  
City, State, Zip Code: \_\_\_\_\_  
Telephone: \_\_\_\_\_  
Email Address: \_\_\_\_\_  
Lawyer's Bar Number: \_\_\_\_\_

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## SUPERIOR COURT OF ARIZONA IN MARICOPA COUNTY

In the matter of the Guardianship of:

Case Number: JG \_\_\_\_\_

\_\_\_\_\_ A Minor

### CONSENT OF PARENT TO GUARDIANSHIP OF MINOR CHILD (AND WAIVER OF NOTICE)

#### REQUIRED INFORMATION FROM PARENT, UNDER OATH or AFFIRMATION:

##### 1. INFORMATION ABOUT ME:

Name: \_\_\_\_\_

Street Address: \_\_\_\_\_

City, State, Zip Code: \_\_\_\_\_

Telephone: \_\_\_\_\_ Date of Birth: \_\_\_\_\_

I am the ☐ MOTHER or ☐ FATHER of the minor child(ren) named above, who needs a guardian.

2. I have read the Petition for Permanent Appointment of Guardian of a Minor and consent to the appointment of (name) \_\_\_\_\_ to be the guardian of the minor child(ren).
3. I waive notice of all further proceedings in this matter. I understand that I can reverse this waiver by filing a written document with the court under this court case number declaring that I no longer waive notice of hearings and other court proceedings.

#### UNDER OATH OR BY AFFIRMATION

**I swear or affirm under penalty of perjury that the contents of this document are true and correct to the best of my knowledge and belief.**

\_\_\_\_\_  
Date

\_\_\_\_\_  
Petitioner's Signature

Sworn to or Affirmed before me this \_\_\_\_\_ by \_\_\_\_\_  
(Date)

\_\_\_\_\_  
Printed Name

My Commission Expires: (or \_\_\_\_\_  
Seal below)

\_\_\_\_\_  
Deputy Clerk or ☐ Notary Public

Person Filing: \_\_\_\_\_  
Address (if not protected): \_\_\_\_\_  
City, State, Zip Code: \_\_\_\_\_  
Telephone: \_\_\_\_\_  
Email Address: \_\_\_\_\_  
Lawyer's Bar Number: \_\_\_\_\_

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## SUPERIOR COURT OF ARIZONA IN MARICOPA COUNTY

In the Matter of Guardianship of:

Case Number: JG \_\_\_\_\_

### CERTIFICATE OF READINESS (Request to Set Hearing)

- ☐ Blood Relative  
☐ Non-Blood Relative  
☐ Non-Relative

A Minor ☐ Female ☐ Male

I am a Petitioner in this case. I certify that I have copies of the following documents and I will bring copies of each to the Court Hearing:  
(check all that apply)

- ☐ Petitioner's United States or State issued identification (this is required for all Petitioners)  
☐ Birth Certification for each Child (this is required for all Children listed on the Petition)  
☐ Minor's notarized Consent, IF minor is over age 14 (original must be filed with Court), Date Filed: \_\_\_\_\_  
☐ Minor will attend hearing and consent in Court ☐ Not Applicable  
☐ Mother's notarized Consent (original must be filed with Court), Date Filed: \_\_\_\_\_  
☐ Not Applicable  
☐ Father's notarized Consent (original must be filed with Court), Date Filed: \_\_\_\_\_  
☐ Not Applicable  
☐ Death Certificate for Mother/Father ☐ Not Applicable

#### Notice to Parents

I understand that a guardianship under Title 14 requires Notice to both parents and parental consent, if obtainable. I am notifying the parents of my Petition for Guardianship of a Minor as follows: (check all that apply)

- ☐ I have signed and notarized consent and waiver forms from each parent (hearing will be set within about 5-10 days)  
☐ I will personally serve both parents at least 14 days before the hearing (hearing will be set within about 30-45 days)  
☐ I will serve the parents by certified, registered or ordinary U.S. mail (hearing will be set within about 25-30 days)  
☐ I have to serve at least one parent by Publication (hearing will be set within about 60 days)

#### Relation to Minors

- ☐ Each person asking to be appointed as guardian or co-guardian who is not blood related to the Child, has filed Fingerprint Cards with the Court on \_\_\_\_\_. The background check takes about 10-12 weeks from filing the Fingerprint Cards to complete and the hearing will not be set for 10-12 weeks.  
☐ Each person asking to be appointed as guardian or co-guardian is a blood relative and Fingerprint clearance is not required.

Dated: \_\_\_\_\_

Signature: \_\_\_\_\_

Printed name: \_\_\_\_\_